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LAW IN FAVOR OF EMPLOYEES.

How great is the responsibility placed by an employer in the keeping of a truck driver is illustrated by a damage suit lately decided in New York state, after being carried up to the higher court.

As reported by the law publications the case is as follows:

While a heavily loaded automobile truck was proceeding from Brooklyn to Manhattan in charge of a chauffeur, and a helper, the latter invited a school boy 14 years of age, and a former schoolmate of his, to ride upon the truck. When the truck reached a certain street in Manhattan where it had to make deliveries, a heavy case was in process of being taken off the truck with the aid of an expressman called by the chauffeur to assist him, as well as of the helper and the school boy, when it fell upon the school boy. There was some conflict of evidence as to whether the latter had been asked by the chauffeur to help in unloading the case, but the jury in the trial court found that such request had been made and rendered a verdict in favor of the injured boy. A judgment entered upon this verdict was affirmed by the appellate division of the New York supreme court. The appellate court held that under the circumstances an emergency existed which gave the driver implied authority to call for assistance and that the fellow servant rule had no application.

This means that when an employer sends his fleet of trucks out each morning, he is accepting a risk which extends even beyond those regularly in his employ and may embrace even the passing school child who is invited to take a ride.

Under the broader interpretation of the law, the construing of the statutes is much in favor of those injured in employment.

WHAT THE FARMER WILL RECEIVE.

In the middle states the farmers are harvesting the largest corn crop ever produced in the United States. The agricultural department places the total yield at 3,216,000,000 bushels, which is 92,000 bushels larger than the record of the past.

The yield of wheat is 190,000,000 bushels under last year. Potatoes are placed at 415,000,000 bushels, or a gain of 57,000,000 bushels over 1919. But the price of potatoes has taken a big drop and the farmers will be disappointed in the returns. Many growers will not receive back the cost of their seed potatoes.

As to prices generally, the prospects are the farmers will receive a much lower total return on their crops than last year. Here are the estimated values of seven crops in 1920 and 1919:

	1920	1919
Wheat	\$ 1,605,000,000	\$ 1,976,100,000
Corn	3,891,360,000	4,492,180,000
Oats	880,840,000	848,640,000
White potatoes	560,250,000	587,120,000
Sweet potatoes	167,094,000	160,547,000
Cotton	1,539,621,000	1,767,480,000
Hay, tame	1,763,420,000	1,895,014,000
Hay, wild	237,640,000	277,440,000

Total \$10,645,225,000 \$12,004,521,000

It will be noted that the decline is \$1,359,296,000, or a sum large enough to have paid off the national debt twenty years ago.

LANDIS IS THREATENED.

One of the most fearless of our public men is Federal Judge K. M. Landis, who has received threatening notes from the radical element.

Judge Landis first came most prominently before the American people as the federal judge who inflicted a fine of \$29,000,000 on the Standard Oil company in a case in which the big monopoly was found guilty of violating the Sherman anti-trust act. At that time he was viewed by the ultra conservative as a radical and would have been called a Bolshevik had that word of reproach been in use at the time.

Judge Landis is recognized as a man above suspicion and he has done as much to establish confidence in the integrity of our courts as any one man on the bench.

The radicals claim they are fighting against restrictions placed upon their liberties, including freedom of speech, and yet they constantly are employing intimidation to prevent those opposed to them enjoying liberty of action.

No body of men can long maintain an attitude so contradictory and self-serving without arousing the condemnation of every fair-minded person.

CITY'S NEW SNOWPLOW.

A few years ago the horse did the heavy work of the city in street cleaning and improving. During the past summer, the faithful servant of man almost disappeared from municipal service in the business districts of the city, when the motor flusher was brought into action.

This winter, as the storms cover the pathways and fill the streets with snow, an innovation in Utah is to appear. The city, keeping abreast of the times, has purchased a tractor plow, and will be in line with New York City which has just begun to equip its street department with these motor-propelled plows, in preparation for the winter task of keeping the sidewalks and streets open to traffic.

When the tractor is not bucking snow, it will be employed in the work now done by teams, and the saving to the city should be considerable.

Inventive genius and mechanical skill are doing much for humanity, and no institution is benefiting more from this source than the municipality.

LOOKING TO THE NORTH.

Do you ever look to the north, when you rise in the morning, to feast your eyes on that majestic mountain known as Ben Lomond?

With every changing mood of nature, Ben Lomond has a new dress. In the spring of the year, there is a waistband of green and a cape of drab. Later in the season lighter colors are worn, and then early in the fall a mantle of white covers the great peak.

Ben Lomond's cap catches the first rays of the morning sun and reflects the twilight at the close of day. Like a sentinel that never sleeps, it hourly flashes signals to the city of its vigil.

Standing in the path of the Aeolian winds, Ben Lomond wards off the storms from the north.

Someone with descriptive powers equal to the task and with imagination should give to Ogden a master piece on this scenic avenger, to be used in proclaiming to the outside the charm of this region.

OUTBURSTS OF EVERET TRUE

I CAN'T MAKE OUT THIS WRITING!
DID YOU LEAVE THIS
NOTE ON MY DESK?

YES—
DON'T YOU
RECOGNIZE
MY HAND?

COOLIDGE STRIKE
RULE ATTACKED

Gompers Condemns Nominee
for Acts in Boston Police
Walkout

WILMINGTON, Del., Oct. 23.—An attack on Governor Coolidge, based on his actions in the Boston police strike of 1919, was made last night by Samuel Gompers. Mr. Gompers said in an address that after the policemen had left their posts, "Governor Coolidge and his police commissioner, knowing full well the city would be unprotected, withheld the power they commanded."

COOLIDGE DENOUNCED.
"If the action of the Boston police force was a 'crime against civilization' what terms can describe the action, or inaction, of Governor Coolidge and his police commissioner?" Mr. Gompers asked. "Who but a hypocrite of the highest kind could make a campaign of law and order upon such a record of chaotic treachery and deception?"

"There is no right to strike against the public safety by anybody, anywhere, any time," he (Governor Coolidge) shouts after having aided and abetted, counseled and advised one of the most vicious blows against a law-abiding community ever permitted to go unchallenged and unpunished. "Imagine this contingency: The possible election of Senator Harding to the presidency and a vacancy for any cause occurring, and Coolidge, the police batter, the agent provocateur, becoming president of the United States."

CHARGES TRICKERY.
Commissioner Curtis, Mr. Gompers said, after provoking the strike, decided to withhold all police protection under his control in order that the city would be completely at the mercy of the lawless element for over fourteen hours, thereby causing a revulsion of public opinion and casting a stigma upon the policemen who had ceased work.

SUTHERLAND ATTACKS
LEAGUE OF NATIONS

PAYSON, Utah, Oct. 23.—The league of nations was attacked as a league of war in an address delivered here last night by former United States Senator George Sutherland. The speaker urged the re-election of Senator Reed Smoot. He said Senator Harding had told that he regarded the re-election of Reed Smoot as a matter of extreme importance.

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FLOUR

for making those good
Biscuits, call

Holley Milling
Co.

Phone 162

We will see that he does.

State Attorney Ruling
Halts Ballot Printing

BOISE, Idaho, Oct. 23.—Printing of ballots for the coming general election in practically every county in the state was halted today, when H. L. Black, attorney general, ruled that it was contrary to the election laws to have a circle printed at the head of the independent ticket, thereby enabling the elector to vote a straight ballot. "It is also unlawful to have the word 'ticket,' after 'independent,' he ruled.

The opinion was the result of an action filed in probate court yesterday. The statute provides that where the candidates were nominated by petition as in the case of the independents that it is unlawful to have a circle at the top of the ballot enabling the elector to vote a straight ticket, according to the opinion.

PILGRIM SCENE FALLS,
NOTABLE GUESTS LAUGH

LONDON, Oct. 23.—(By The Associated Press).—Twenty-first century Pilgrim Fathers have hardships of their own. While Ben Greet players were lustily singing from the poop deck of a stage reproduction of the Mayflower at the Surrey theatre, stage properties gave way, the ship heeled, crashed toward the audience and precipitated the hapless Pilgrims to the stage amid a roar of music and splintered woodwork. After anxious moments it was determined that no broken bones had resulted from the unhistorical presentation. Thus assured, the notable gathering of first nighters, including American diplomatic officials and influential Anglo-Americans, were prepared for the production of the situation at the rise of the curtain on the second act. The Pilgrim Fathers offering thanks for their safe voyage across the Atlantic. London critics say the audience could hardly be blamed for bursting into laughter.

The production of "The Mayflower," a play which is a part of the tercentenary celebrations in London, according to The Times, shows once again how difficult it is for a play of this kind to be anything but a series of episodes very loosely strung together. "Abraham Lincoln" was, of course, the exception. There is no drama in "The Mayflower," says the Times, and very little humor, and the whole thing consists of a series of scenes laid in Leyden, at Plymouth and in New England. The Chronicle calls the play a crude melodrama, the love story which threads it having been taken almost line by line from Longfellow's "Courtship of Miles Standish," but arranged with hardly any dramatic skill.

DANCING

BERTHANA

TONIGHT

9 TILL MIDNIGHT

LILLIAN

THATCHER

ORCHESTRA

MUSIC PEPPY
FLOOR SUPERB

Couple, 85c
Extra Lady, 40c

STATE AND IDAHO NEWS

Latest Items of Interest From Utah and Gem State

WOMEN CLOSE
FARM CONGRESS

Numerous Resolutions Adopted
at Session Held in Salt
Lake

SALT LAKE, Oct. 23.—Utah's better rural school systems, and deprecating the use of lumber in billboards which might otherwise be used in the construction of homes, resolutions were passed at the closing session of the Women's National Farm Congress yesterday.

The resolutions as approved by the organization were as follows: "Resolved: That this congress approve and lends its aid to every rational movement toward the organization of rural women, either through social centers, mothers' clubs, farm bureaus, granges or women's clubs.

"That the United States mail service be improved, and that substitute rural carriers be required to pass the same examination as the regular carriers.

"That we favor co-operative marketing.

"That we are against the wilful waste of lumber being used on unsightly billboards. This lumber is needed to build homes; and, be it further.

"Resolved: That we denounce the waste of money for tobacco and political advertisements.

"That some means be taken whereby the farm women attending the national congress may have reduced railroad rates, the same as fraternal and other organizations.

"That we go on record as favoring legislation which will make it possible for a student to get the kind of an education that will make him better fitted for rural conditions.

"That we go on record as favoring legislation which will make it possible for a student to get the kind of an education that will make him better fitted for rural conditions.

"That we go on record as favoring rural schools that offer advantages equal to city schools. Where conditions will not permit of school consolidation, we believe in standardizing the 'one teacher' scheme, to the end that its building equipment, course of study, attendance, and discipline may be improved. Where it is impossible to transport students to high schools, we advocate the establishment of dormitories in connection with the high school. We urge the women of the congress to bring such pressure to bear upon their respective state organizations as will result in a campaign for better rural schools.

"That the thanks of the congress be extended to the L. D. S. church for the use of the bureau of information and assembly hall as meeting places.

"To the ladies of Utah for their cordial welcome and hospitality to the State and City Federation of Women's clubs; to Apostle Richard L. Lyman for his assistance in preparing the program; to the able speakers who have given us their excellent lectures, and to the delegates who have come here at their own expense and helped to make the congress a success.

High Court Upholds
Compensation Act

SALT LAKE, Oct. 23.—In a decision rendered by the supreme court of Utah yesterday, which involved many points in the validity of the Utah workmen's compensation act, the court upheld the act in every particular attacked. The case is officially that of the Utah Copper company against the Industrial Commission of Utah and others.

Louis J. Rushton, a farmer near Magna, died January 2, 1919, as a result of an accident occurring while he was employed by the Utah Copper company in raising the banks of the Salt Lake and Utah canals, to prevent its overflowing. The Utah Copper company depends partly upon the canal to furnish it with a continuous supply of water, particularly in the winter time. Ice had clogged the canal and Rushton was employed by the copper company's canal boss, named Larson, to assist in strengthening the banks.

Rushton left a widow, Mrs. Julia C. Rushton, and several minor children. Another child was born some time after the death of the father and the claims of this child furnished one of the legal puzzles in the case. Mrs. Rushton was appointed as guardian of the minors, and, with the consent of the district court, elected to accept the benefits of the workmen's compensation act, rather than attempt to collect on a personal damage suit for her husband's death. The commission awarded her and the minor children, including the unborn child, the death benefit prescribed by the compensation law in such cases.

The Utah Copper company appealed under the then existing law, to the district court of Salt Lake county, and when that court upheld the award of the industrial commission, to the supreme court of the state. The case was argued for the commission in both courts by James H. Wolfe, assistant attorney general. The supreme court upheld the district court, and decides that, in addition to the award of the commission, the copper company must pay interest on all payments now due from the time they became due, and also costs of the appeal.

The case was brought by the Utah Copper largely as a test of many rather important provisions of the compensation law which had not hitherto been before the courts. The decision was written by Justice Valentine Gideon, and is unanimous.

DEMOCRATS SCORED FOR
EXTRAVAGANT REGIME

BRIGHAM CITY, Oct. 23.—At a rally held in this city last night, Senator Reed Smoot attacked the present administration on grounds of extravagance and scored the revenue laws. If Senator Warren G. Harding is elected to the presidency and a Republican congress elected, a special session of that congress will be called immediately for the revision of the revenue laws.

Charles R. Mabey, Republican candidate for governor, said that the Democratic party had been long on promises and short on fulfillment.

He cited promises made by Utah Democrats four years ago to the effect that states taxes would be lowered.

NEW ISSUE IN
SUGAR HEARING

Activities of C. W. Nibley in
Grant's Pass Plant Shown
by Testimony

SALT LAKE, Oct. 23.—Activities of C. W. Nibley and associates in the Oregon-Utah Sugar company's factory at Grants Pass, Ore., formed the testimony yesterday in the hearing of the federal trade commission's sugar investigation.

Don Jolly of Verington, Nev., a former acreage solicitor associated with Nibley in endeavoring to get a factory at Grants Pass, testified that Mr. Nibley had told him that Mr. Nibley's father, C. W. Nibley, had made more than \$1,000,000 in a month when he went to New York and made a note for \$4,000,000 of the L. D. S. church to secure the stock in the Utah-Idaho formerly held by the Havemeyer interests.

Mr. Jolly said young Nibley stated that his father "beat the bunch to it."

Before leaving the West Cache temporarily, Elwood Beer, special attorney for the commission conducting the government's case, had called to the witness stand during the day W. T. Fox, Roland R. Woolley, V. L. Arnold and Abe Tyson of the Knight Investment company.

Mr. Fox, Mr. Woolley and Mr. Arnold were all directors of the West Cache before its reorganization by the Amalgamated. Mr. Fox stated he went on the board at the request of Herbert R. Macmillan to represent the Eccles company when Mr. Woolley sold his stock control to that company, and prior to the sale of the West Cache assets by the Eccles company to the Amalgamated.

He stated that he simply represented the Ogden interests and held a considerable amount of stock in his name for them. Mr. Beer examined the witness at some length concerning his knowledge of Mr. Woolley's alleged transactions of the West Cache, and in the course of his examination referred to the "freshness on the part of the witness and the audacity on the part of counsel."

This brought a sharp denial from Mr. Macmillan, counsel representing the Amalgamated, and Mr. Woolley. He accused Mr. Beer of endeavoring to overawe and frighten witnesses.

Whereupon Mr. Beer charged that Mr. Macmillan is a party at interest in the proceedings, to which Mr. Macmillan again entered a strenuous denial, denying Mr. Beer and any others to prove the charge, and adding that he was simply there to protect the rights of his clients regardless of Mr. Beer's efforts at intimidation.

At about this point Judge Joseph J. Dunham, the examiner, suggested to counsel that the argument was doing nothing to particularly advance the determination of the issues.

HEALTH CLOWN DELIGHTS
CHILDREN AT POCATELLO

POCATELLO, Oct. 23.—Fully 100 children heard Chow-Chow, the health clown, speak yesterday afternoon at the auditorium theater. In clown costume the lecturer talked and illustrated the use of the tooth brush, drinking of milk and other health chores.

The children were enthusiastic over the comedy presentation of health problems.

Boy scouts acted as ushers at the performance.

BRITISH DUKE PAYS
TAX TO STATE OF UTAH

SALT LAKE, Oct. 23.—His Royal Highness Arthur William Patrick Albert, Duke of Connaught and Strathearn, brother of the late King Edward, became a taxpayer in the state of Utah yesterday. He paid taxes amounting to \$238.10 as sole executor of the estate of his late wife, Princess Louise Margaret Alexandra Victoria Agnes, Duchess of Connaught and Strathearn. The duchess died March 13, 1917.

It was not until last July, however, that proceedings were instituted which led to the payment of the inheritance tax. The matter was called to the attention of the state officials voluntarily by the attorneys for the estate. Dan E. Shields, attorney general, received a letter from London firm in which he stated that at the time of her death the duchess was registered holder of 130 shares of Union Pacific common stock. This, however, had been endorsed by her during her lifetime, and the shares had long since been transferred and disposed of.

No application for the issue of the estate of his late wife, Princess Louise, was made until the fact that the death of her Royal Highness, of her having died possessed of the shares of stock.

Since the office of the attorney general of Utah maintains its information with regard to stock holdings from the transfer office of the company, which is incorporated here, Mr. Shields had not been notified of the fact that British royalty was owing an inheritance tax to the state.

However, as the attorney's letter went on to say, as soon as the duke was informed by his lawyers that he

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Representative, First District

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